



HON. SYLVIA O. HINDS-RADIX
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December 29, 2023

BY ECF

Honorable Robert M. Levy
United States Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: *Christopher Fugelsang v. The Department of Education of New York City*
23-CV-08332 (RML)

Dear Judge Levy:

I am an Assistant Corporation Counsel in the office of the Hon. Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, attorney for Defendant New York City Department of Education (“DOE”) in the above-referenced action. Plaintiff, a former DOE employee, brings this action pro se and appears to assert claims under Title VII, the SHRL, the CHRL, and 42 U.S.C. § 1983 (violations of the Equal Protection Clause and Due Process Clause of the U.S. Constitution). Plaintiff claims he was subjected to religious discrimination with respect to the denial of request for a reasonable accommodation on religious grounds exempting him from the Covid vaccine mandate that applied to all DOE teachers resulting in his termination from the DOE. Plaintiff also claims his right to Due Process was violated and asserts, he was not given a disciplinary hearing according to Education Law 3020-a before his termination. Finally, Plaintiff also claims his right Free Speech and Free Exercise of Religion was violated. I write to request an extension of time for Defendant to serve its response to the Complaint from January 4, 2024, when Defendant’s response is currently due, to March 4, 2024. This is the first extension request in this matter. Defendant attempted to gain consent from Plaintiff by contacting him at his email address, cfugelsang@gmail.com, and by telephone at (718) 728-4483. However, Defendant was unable to get in contact with the Plaintiff.

I was assigned this case today, December 29, 2023. As such, the undersigned requires additional time to obtain preliminary documents, to investigate the allegations in the Complaint, and respond appropriately. Further, I had previously scheduled a vacation for next week. Accordingly, Defendant requests an extension of Defendant's time to serve its response to March 4, 2024. Defendant thanks the Court for its consideration of this matter.

Respectfully submitted,

[ECF] /S/

SHINEQUA CHARLES

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cc: Christopher Fugelsang (via ECF)
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